

CALIFORNIA VICTIM COMPENSATION AND GOVERNMENT CLAIMS BOARD

Victim Compensation Program

May 23, 2003

630 K Street
First Floor Hearing Room
Sacramento, California 95814

Overview of the Joint Powers County Agreements Within the Victims Compensation Program

Background

This discussion is presented in response to the Board's request for additional information regarding the history of the Board's contracts with counties for the processing and oversight of victim compensation claims under the Victim Compensation Program, (the Joint Powers Agreements, JPAs). This item also discusses the nature of oversight and direction provided by Board.

County staff, typically located in the county District Attorney's office, has been providing assistance to the Victims Compensation Program since 1984 when they were enlisted to help with a backlog of claims at the Board. As the number of claims received by the program continued to increase each year, the informal agreements with the counties were replaced by formal contracts executed by the Executive Officer by delegation from the Board. Currently, contracts are in place with 22 counties to provide claims processing for 42 counties across the state. During 2002, the counties processed 67% of claims submitted through these Joint Powers Agreements (JPAs). A brief history of the Joint Powers Agreements is Attachment 1.

Budget

JPA contracts for 2003/2004, totaling \$10.8 million and involving 208 county-based employees, are currently being finalized. This amount is \$1.2 million lower than the current year contract amount of \$12 million. The reductions incorporate a 35% reduction in travel and removed funding for 24 vacant positions that were frozen by the Executive Officer.

JP Training, Quality Assurance, and Oversight

Board staff train and certify JP county staff to process claims after they pass an examination to prove their proficiency. Larger counties have one or more quality assurance staff to review every eligibility decision for correctness and each bill for completeness, accuracy and relevance to the crime. For smaller counties, Board staff provides the quality assurance review. Board staff reviews certain kinds of claims from all counties, such as denied claims, vehicle purchases, home modification, and in-home care claims. The quality assurance review is part of a three-part JP "oversight plan", consisting of site visits, independent audits, and quality assurance (see Attachment 2). Plans for site visits and independent audits are described below under 'Upcoming Activities'.

All JP counties, except for the newest one, have been approved to “direct schedule” claims for payment. Direct scheduling allows the counties to prepare the claims for payment without Board review. The newest county, Contra Costa, will have 100% State (i.e., Board staff) review of their claims until such time as Board staff are confident that the county staff are ready to assume direct scheduling.

Beyond the three-part “oversight plan”, analysts in the “JP Unit” at the Board, on a day-to-day basis:

- Provide technical and programmatic assistance to county staff
- Review the county usage of revolving funds monthly to assure they are properly used for emergency awards (specifically domestic violence relocation, emergency funeral burial, sexual assault relocation and crime scene clean-up)
- Monitor error rates, inventory of claims, and production
- Facilitate workload sharing between counties

Upcoming Activities

Mandatory training on newer policies and regulatory changes will be conducted throughout the state during May and June of 2003. Also in May, Board staff will resume conducting regular on-site reviews of the JP offices to review how they process claims processes, monitor invoices, do quality review, ensure separation of duties, file and equipment security, and adequacy of training. The goals of these audits will be to ensure compliance with Board policies and practices and to promote communication, coordination and cooperation between the Board staff and County staff.

The Audit and Investigation Branch (AIB) has completed a risk assessment of the JPs and is currently doing an independent review of Los Angeles City, which they expect to complete by June 30. Due to the limited number of staff in AIB, one staff person is currently assigned to conduct Joint Powers reviews.

Conclusion

County JP offices have provided substantial assistance to the Board over the last nineteen years. The JP contracts have enabled the VCP to serve increasing numbers of victims of crime. Staff will continue to work with the counties to insure that those services are provided cost-effectively, consistent with statutes, regulations and Board policies, and in collaboration with local law enforcement agencies and service providers.

HISTORY OF THE JOINT POWERS AGREEMENTS

- 1984 Government Code Section 13962(e) authorized the Board to use the local Victim Witness Centers (Centers) to verify claims pursuant to the same conditions that apply to Board of Control (Board) staff. The purpose was to enlist the assistance of the Centers with the Board's backlog of claims.
- 1988 Formal Joint Powers (JP) Agreements were drawn up for 21 Centers. The JP Team at the Board handled both the review of claims processed at the JPs and monitored the JPA contracts.
- 1991 The Centers were given the ability to enter information directly into the State database to more efficiently handle the Boards increasing workload, which had increased an average of 25% over the three prior fiscal years.
- 1992 "Direct Scheduling" is implemented in two JP Centers. Direct Scheduling allows the counties to prepare the claims for payment without Board review.
- 1993 Centers begin to enter into Memorandums of Understanding (MOUs) with neighboring counties to have their claims processed through the Joint Powers Agreement.
- An independent consultant firm, Price Waterhouse, conducted an evaluation of the Board's business practices. Their report approves of the advances made in the JP process and encourages further expansions and enhancements.
- 1997 More counties are allowed to go to Direct Scheduling. The feasibility of converting the smaller staffed State Scheduling Centers to Direct Scheduling is considered in order to reduce production costs.
- 1998 The Board continues to revise the direct scheduling (delegation) parameters to allow direct scheduled counties to increase their responsibility.
- 1999 The January 11, 1999, JP Memo 99-01 authorized JP county staff to directly set recommendations for denial of claims with issues involving ineligible applicants and not a covered crime.
- Emergency Funeral/Burial funds became a part of most of the JP Contracts.
- 2000 AB 606 provisions for an emergency award for domestic violence victims are included as a part of the Board's Funeral Burial contractual arrangements.